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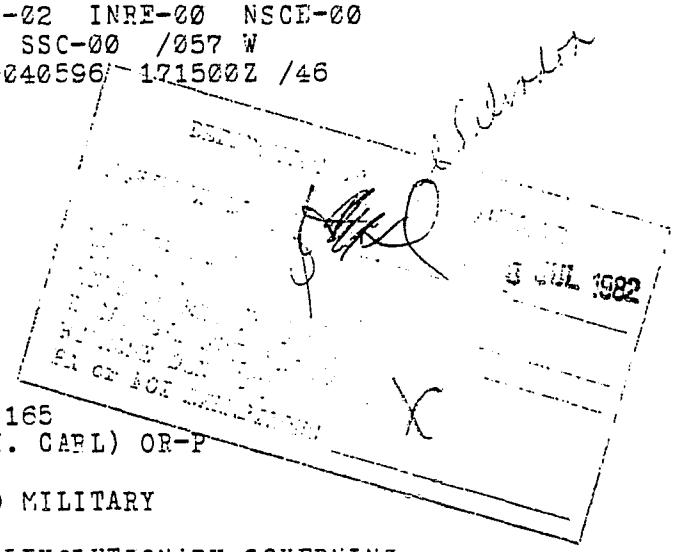
C O I D E N T I A L SAN SALVADOR 7165
E.O. 12065: GDS 10/16/86 (GETTINGER, H. CARL) OR-P
TAGS: MILI MASS, SHUM ES
SUBJECT: (U) JRG HUMAN RIGHTS ORDER TO MILITARY
REF: SAN SALVADOR 6738 (NOTAL)
1. (U) THE FOLLOWING IS THE TEXT OF A REVOLUTIONARY GOVERNING JUNTA (JRG) ORDER TO THE GOVERNMENT OF EL SALVADOR'S ARMED FORCES READ BY NAPOLEON DUARTE AT THE OCTOBER 15 CELEBRATION OF LAST YEAR'S COUP. IT IS AN IMPORTANT, FORMAL STATEMENT OF THIS GOVERNMENT'S COMMITMENT TO CONTROLLING HUMAN RIGHTS VIOLATIONS BY THE SECURITY FORCES.
2. (U) BEGIN TEXT. THE REVOLUTIONARY GOVERNING JUNTA: CONSIDERING:
I. THAT THE VICLENCE WHICH HAS PROLIFERATED IN THE COUNTRY HAS SOCIOLOGICAL ROOTS AND THAT ITS GENERALIZATION CAN PROVOKE THE LOSS OF MEANING OF THE HUMAN VALUES WHICH MUST RULE ANY CIVILIZED SOCIETY.



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II. THAT TO MAKE IT POSSIBLE FOR SOCIETY TO BE GOVERNED IN AN ORDER OR RESPECT FOR THE UNIVERSAL RIGHTS OF MAN, IT IS NECESSARY THAT THE AUTHORITY RESPONSIBLE FOR MAINTAINING SOCIAL

DISCIPLINE BE ITSELF AN EXAMPLE OF REAL AND EFFECTIVE COMPLIANCE WITH THE LAWS, RULES, DIRECTIVES AND PROCEDURES WHICH GOVERN SOCIAL CONDUCT.
THEREFORE, THE REVOLUTIONARY GOVERNING JUNTA, CONSCIOUS OF THE RESPONSIBILITY IT HAS ASSUMED TO SAVE OUR COUNTRY FROM THE CRISIS OF HUMAN VALUES IN WHICH IT HAS FALLEN, AND BASED ON THE AUTHORITY WITH WHICH IT HAS BEEN INVESTED THROUGH THE INSURRECTIONAL MOVEMENT OF 15 OCTOBER AND BY A MAJORITY DECISION OF THE ARMED FORCES, AGREES: TO COMMUNICATE TO ALL CHIEFS, OFFICERS, NCOS AND TROOPS OF ALL UNITS OF THE ARMED FORCES, WHICH INCLUDE ALL MEMBERS OF THE TERRITORIAL SERVICE, THE FOLLOWING: FIRST: IT IS THE DUTY OF EVERY SOLDIER IN ANY CIR-

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CUMSTANCE OF LIFE TO COMPLY WITH THE CONSTITUTIONAL DUTY OF PROTECTING LIVES AND PROPERTY OF ALL CITIZENS AS WELL AS COMPLYING WITH AND ENFORCING THE LAWS AND REGULATIONS OF THE REPUBLIC. SECOND: THE NATION HAS ACQUIRED A WORLDWIDE OBLIGATION TO RESPECT THE UNIVERSAL RIGHTS OF MAN, WHICH IS THE REASON FOR LIMITING THE EXERCISE OF AUTHORITY AND PROMOTING SOCIAL ORDER IN STRICT COMPLIANCE WITH THE LAWS. THE PROCEDURES EMPLOYED SHOULD NOT UNDER ANY CIRCUMSTANCES VIOLATE THE RIGHTS OF MAN. IN THIS RESPECT, AND FOR THE FAITHFUL COMPLIANCE OF THIS VITAL DUTY, IT IS ORDERED THAT ALL SUPERIORS WHO HAVE ANY RESPONSIBILITY FOR COMMAND OVER OTHERS UNDERTAKE TO WATCH OVER THEIR COMPLIANCE WITH THE CONCEPTS HEREIN SET FORTH AND IN THE SPIRIT WITH WHICH THIS COMMUNICATION HAS BEEN WRITTEN. IN THIS REGARD, THE INDIVIDUALS UNDER YOUR COMMAND MUST BE MADE AWARE OF THIS ORDER AND INSTRUCTED ACCORDINGLY.

THIRD: THE MINISTRY OF DEFENSE AND PUBLIC SECURITY SHOULD PREPARE ALL DIRECTIVES, ORDERS AND PROCEDURES WHICH ASSURE

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FAITHFUL COMPLIANCE BY THE MILITARY AND SECURITY FORCES OF OBLIGATIONS WHICH CORRESPOND TO EVERY SOLDIER, PREVENTING ANY ABUSE OF AUTHORITY OR MISUSE OF THE MEANS WHICH EACH POSSESSES. THE USE OF FORCE MUST BE REGULATED ESPECIALLY, THE METHODS OF APPREHENSION, BEHAVIOUR TOWARD THE POPULATION, RESPECT FOR PROPERTY, RIGHTS OF PRISONERS, AND ALL THOSE ACTIONS WHICH ARE NECESSARY TO ACHIEVE THESE GOALS. FOURTH: ACTIONS WHICH CAN IN ONE WAY OR ANOTHER BE QUALIFIED AS PROCEDURES THAT ARE AGAINST THE LAW AND VIOLATE HUMAN RIGHTS ARE ABSOLUTELY PROHIBITED, AS WELL AS THE CREATION AND DIRECTION OF ORGANIZATIONS OR SUBVERSIVE/TERRORIST GROUPS BELONGING TO ANY IDEOLOGICAL FACTION. FIFTH: EVERY HIGHER RANKING INDIVIDUAL IN THE CHAIN OF COMMAND WHO IS AWARE OF ANY VIOLATION OF THE LAW OR IF HUMAN RIGHTS SHOULD PROCEED IN THE MANNER OUTLINED IN THE APPROPRIATE ORDER ("LA ORDENANZA RESPECTIVA"). THE SUPERIOR WHO DOES NOT SO PROCEED OR WHO CONCEALS THE CASE SHALL BE MADE ACCOUNTABLE FOR THESE ACTIONS. NOTWITHSTANDING, THE COMMANDER SHOULD ORDER PREVENTIVE ARREST, OPEN THE NECESSARY INVESTIGATION AND BRING IT BEFORE THE MINISTRY OF DEFENSE AND PUBLIC SECURITY. (COMMENT: IT IS UNCLEAR FROM THE TEXT WHETHER THE ORIGINAL VIOLATOR OF THE LAW OR THE SUPERIOR OR BOTH SHOULD BE ARRESTED. END COMMENT.)
SIXTH: THE MINISTRY OF DEFENSE AND PUBLIC SECURITY IS ORDERED TO MAKE THIS RESOLUTION KNOWN TO ALL COMMAND LEVELS.
DONE IN THE CONFERENCE ROOM OF THE REVOLUTIONARY GOVERNING JUNTA, PRESIDENTIAL HOUSE, THE THIRD OF OCTOBER 1980.
END TEXT.
3. (C) COMMENT: THIS IS ESSENTIALLY THE SAME AS AN EARLIER TEXT ACQUIRED BY THE EMBASSY EXCEPT FOR AN IMPORTANT ADDITION:

THE SENTENCE IN THE FIFTH RESOLUTION CALLING FOR SOMEONE IGNORING A HUMAN RIGHTS ABUSE TO BE HELD ACCOUNTABLE. THIS IS A

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MAJOR STEP TOWARD ASSURING COMPLIANCE WITH THE ORDER AS A
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